

SENATOR MOORE: I move we adopt the E & R amendments to LB 1030.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Baack.

PRESIDENT: Senator Baack, please.

SENATOR BAACK: Yes, Mr. President and members, the amendment that I am offering to LB 1030 is actually, it is LB 878 which was heard by the Government Committee and passed out of the committee and was designated by the Government Committee as a priority bill but with the time limitations that we have we simply probably will not get to 878 so what I would like to do is amend it onto LB 1030. What 878 does is it tries to clear up some problems that were created last year...

PRESIDENT: Senator Baack, excuse me. (Cavel.) With justice to Senator Baack and courtesy to him, let's hold it down. Senator Baack.

SENATOR BAACK: Thank you, Mr. President. Last year we passed LB 223 which dealt with fees payable to sheriffs on serving court documents and what...and then we have run into some problems since that time and what LB 878 does is try and correct a couple of problems that have come up with LB 223. First of all, the first correction that we make is that we add some...we add some language that says in an original foreclosure action when a lienholder purchases a property and where no money is received or disbursed by the sheriff, then the commission that is due the sheriff shall not exceed \$200. Presently, the sheriff could receive up to two percent of the sale which, in many cases, is an excessive amount, way over what he has to do and in this...with this bill we put a limitation of \$200 on that. The second change that we make is on multiple servicing of documents. If...for instance, if a sheriff came to serve documents to me, if he served me with five different documents, instead of being able to charge \$10.00 per document that he served, he would be able to charge one-time fee of \$10.00 to serve all five documents. And another thing that it also relates to is if...if, at a given location, there are several people who are to be served with papers, the first paper served